

ATTORNEY DOCKET NUMBER: 2002576-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Examiner: Weisberger, Richard C.
Serial No.: 09/494,799 Art Unit: 3693
Filed: January 31, 2000 Conf. No.: 3973
For: SYSTEM FOR ACCESS TO AND EXCHANGE OF MARKET DATA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

SUMMARY OF DISCUSSIONS

On at least March 31, 2011, the undersigned spoke with Supervisory Patent Examiner James Kramer following the Notice of Panel Decision from Pre-Appeal Brief Review dated February 23, 2011. Pursuant to at least that communication, the undersigned prepared and, on April 19, 2011, submitted a proposed amendment via email (please see Appendix) to Primary Examiner Richard Weisberger and Supervisory Patent Examiner Kramer.

On April 22, 2011, the undersigned communicated with Supervisory Patent Examiner Kramer via email to inform him of the status.

On April 25, 2011, a telephone interview regarding the present application took place between Primary Examiner Weisberger and the undersigned. The pertinent portion of the Examiner's summary of the interview (included with the Notice of Allowance dated May 25, 2011) is presented here as follows:

All participants (applicant, applicant's representative, PTO personnel).

(1) <u>Richard C. Weisberger</u>	(3) _____
(2) <u>C. Agnew</u>	(4) _____

Date of interview: 26 April 2011.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No
If Yes, brief description: _____

Claim(s) discussed: _____

Identification of prior art discussed: _____

Agreement with respect to the claims f) was reached. g) was not reached h) N/A.

Substance of interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Language was agreed on that overcomes the rejection of record.

The undersigned generally agrees with Primary Examiner Weisberger's summary of the telephone interview, while noting for the record that the interview occurred on April 25, 2011 and not April 26, 2011.

The Examiner also referenced the telephone interview in the Notice of Allowance dated May 25, 2011 as follows:

Application/Control Number: 09/494,799

Page 2

Art Unit: 3693

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below.

Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with C. Agnew on 4/28/2011

The undersigned generally agrees with Primary Examiner Weisberger's characterization of the telephone interview, while noting for the record that the interview occurred on April 25, 2011 and not April 28, 2011.

During the telephone interview, the undersigned and Primary Examiner Weisberger reached agreement on proposed claims 31-39 and proposed new claims 45-46 and the undersigned authorized an Examiner's amendment for these claims.

The undersigned agrees with the statement that "languaged was agreed on that overcomes the rejection of record" to the extent that the undersigned and the Primary Examiner agreed on the substance of an Examiner's amendment and the undersigned authorized the amendment.

Later on April 25, 2011, the undersigned responded to an email from Supervisory Patent Examiner Kramer and confirmed that agreement had been reached with Primary Examiner Weisberger. Still later, the undersigned and Supervisory Patent Examiner Kramer conferred briefly via telephone and confirmed that Supervisory Patent Examiner Kramer would follow up with Primary Examiner Weisberger but that ultimately responsibility for taking action in the case to keep the pending was on Applicant and the undersigned.

Supervisory Patent Examiner Kramer informed the undersigned on April 29, 2011 that a Notice of Allowance would be forthcoming.

It is believed that no fees are due with this statement. In the event that any fees are due, please charge any fees that may be required to our Deposit Account No. 03-1721, referencing Attorney Docket No. 2002576-0001.

Respectfully submitted,

Date: September 19, 2011

/Christopher D. Agnew/
Christopher D. Agnew
Registration No.: 43,464

Choate, Hall & Stewart, LLP
Two International Place
Boston, MA 02110
t (617) 248-5000
f (617) 502-5002
cagnew@choate.com

APPENDIX
TO SUMMARY OF DISCUSSIONS

Agnew, Christopher D.

From: Agnew, Christopher D.
Sent: Tuesday, April 19, 2011 5:46 PM
To: richard.weisberger@uspto.gov; james.kramer@uspto.gov
Cc: Tonkovich, Stephen J.; Heyward, Moses A.
Subject: Application Serial No. 09/494,799 (Atty. Docket No. 2002576-0001)
Attachments: 09-494799 Draft Proposed amendment 2002576.0001_Advantage Data.DOC; 09-494799 Draft Proposed amendment 2002576.0001_Advantage Data.PDF

Dear Primary Examiner Weisberger and Supervisory Patent Examiner Kramer,

Attached please find proposed claim amendments in the above patent application. I have included both PDF and Word versions of these amendments.

Please note that the attached proposed claim amendments are intended to advance prosecution toward an earlier allowance and/or satisfy current business objectives of Applicant, and are not necessarily proposed for reasons of patentability.

Please contact me at (617) 248-4073, or my colleague, Moses Heyward, at (617) 248-4082, as soon as possible to schedule an interview to discuss these claims.

Thank you very much.

Authorization for Email Communication

Recognizing that Internet communications are not secure, Applicant hereby authorizes the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant understands that a copy of these communications will be made of record in the application file.

Best regards,

/Christopher D. Agnew/

U.S.P.T.O. Registration No. 43, 464

Christopher D. Agnew

CHOATE

Choate, Hall & Stewart LLP
Two International Place
Boston, MA 02110
t 617.248.4073
f 617.502.5002
cagnew@choate.com
www.choate.com